

2014 New Legislation

New Information

This memo is a summary of legislation effective January 1, 2014, and later, impacting Occupational Licensees.

New Requirements

No later than March 31, 2014, Driving School Owners/Operators, Traffic Violator School Owners/Operators and approved Dealer Education providers **must** update their basic course curriculum, continuing education lesson plans, websites, and any materials distributed to instructors and students with new law information relevant to the required course topics.

New Laws Summary Legislative Session (2013-2014)

Commercial Driver License (CDL)

AB 722—This bill allows a doctor of chiropractic medicine, who is listed on the current National Registry of Certified Medical Examiners, to perform the medical examination for a CDL holder when applying for or renewing a special certificate for the following: school bus, school pupil activity bus, youth bus, general public paratransit vehicle, or farm labor vehicle certificate.

NOTE: Interstate commercial motor vehicle drivers must have their medical examinations performed by a certified medical examiner listed on the National Registry beginning May 21, 2014. Information regarding changes contained in the Medical Examination Report (DL 51) form is available in the OLIN 2014-02 New and Revised CDL Medical Forms memo (*California Vehicle Code* (CVC) §12517.2).

AB 1047—This bill ensures compliance of California's CDL program with federal law and regulations, as mandated by the Federal Motor Carrier Safety Administration (CVC §§12505, 12804.9, 15210, 15250, and 15309.5).

Driver License

AB 1371—This bill requires the driver of a motor vehicle overtaking a bicycle to pass on the left with a minimum clearance of 3 feet (Three Feet for Safety Act) when it is safe and does not create a hazard (collision). Effective September 16, 2014, violators are subject to fines (CVC §21760).

Provisional Driver License (Minors)

SB 194—This bill clarifies existing law related to the prohibition of texting with an electronic wireless communications device, for drivers under the age of 18 (CVC §23124). This applies even if the device is capable of hands-free use.

Motor Vehicle Dealers

AB 576—This bill establishes a pilot program to create a multiagency team, to be known as the Revenue Recovery and Collaborative Enforcement Team, collaborating in the combat of criminal tax evasion in the underground economy, consisting of the Franchise Tax Board, Department of Justice, State Board of Equalization, and Employment Development Department (*California Government Code* Section 1, 2, Part 12.2 §§15910, 15912, 15914, 15916, 15918, 15920, 15922, 15923, and 15924).

New Laws Summary Legislative Session (2013-2014), *continued*

SB 155—This bill modifies the relationship between motor vehicle dealers and manufacturers to improve protections for dealers; specifically, automobile warranty repair rules regarding disapproval, appeal, notice, protest, and audit requirements. This bill also:

- Modifies the manufacturer incentive program provisions similar to the warranty requirements.
- Prohibits manufacturers from taking adverse action against a dealer because the dealer sold or leased a vehicle to a customer who exported the vehicle to a foreign country, or resold the vehicle in violation of an export or resale prohibition.
- Prohibits a manufacturer from establishing or maintaining a performance standard that may materially affect the dealer unless specified criteria are met.
- Provides that a required facility alteration, expansion, or addition shall not be deemed reasonable, if it requires that the dealer purchase goods or services from a specific vendor, when substantially similar goods or services are available from another vendor (CVC §§3006, 3008, 3012, 3050, 3050.7, 3052, 3056, 3057, 3062, 3063, 3064, 3065, 3065.1, 3066, 3067, 3069.1, 11713.3, and 11713.13).

Vehicles

AB 501—This bill allows consumers to qualify for restitution from the Consumer Motor Vehicle Recovery Corporation (CMVRC) for two additional dealer omissions: failure to provide a consumer with a clean title on a purchased vehicle and failure to remit funds the dealer has received or committed to pay to third parties for insurance, service contracts, or other goods and services. This bill also:

- Modifies the weight rating for requiring a Motor Carrier Permit for commercial purposes.
- Allows a trailer designed to transport watercraft to be towed by an exempt motortruck.

Provisions of this bill sunset January 1, 2016, unless repealed, extended or enacted by a later statute.

AB 64—This bill creates an exemption from the length restriction of CVC §35400 permitting a fifth-wheel travel trailer up to 48 feet in length, provided the kingpin to the rear most axle measurement does not exceed 40 feet for a trailer with two or more axles, or 38 feet in length for a trailer with a single axle.

The fifth-wheel manufacturer must provide the selling dealer with documentation which includes a clear declaration of overall length (see VIN 2013-22 Fifth-Wheel Travel/Coaches Length Increase memo for further details).

Access to Bill Language

You can access complete bill language at www.leginfo.ca.gov/calaw.html.

Background

Key bills acted upon in the 2013 Legislative session that affects education programs offered to Occupational Licensees.

Distribution

Notification that this memo is available online at www.dmv.ca.gov/pubs/olin/olin.htm was made via California DMV's Automated E-mail Alert System in February 2014 to the following:

- All E-Mail Alert Subscribers

Contact

Questions regarding this memo may be directed to Occupational Licensing Compliance Unit at (916) 229-3154.

A handwritten signature in black ink, appearing to read "Mary Garcia". The signature is fluid and cursive, with a long horizontal stroke at the end.

MARY GARCIA, Chief
Occupational Licensing